

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

July 23, 2009

No. 08-2263 & 08-2264

JEFFREY KLEIN; BRETT BIRDWELL

v.

NATIONAL RAILROAD PASSENGER CORP., et al.

(E.D. Pa No. 2-04-cv-00955)

FILED

JUL 28 2009

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

Present: FUENTES, Circuit Judge

1. Uncontested Motion for Partial Remand to the District Court by Appellants' National Railroad Passenger Corporation in 08-2263 and Norfolk Southern Corporation in 08-2264;
2. Uncontested Motion for Leave to File Appellants' Motion Under Seal.

Case Argued on 3/12/2009.

/s/ Pam Batts

Case Manager (267) 299-4943

ORDER

The foregoing Motions are granted.

By the Court,

/s/ Julio M. Fuentes

Circuit Judge

Dated: July 28, 2009

Pdb/cc: Counsel of Record